20th October 1947] [Sri K. Madhava Menon]

THE HON. SRI M. BHAKTAVATSALAM :—" I move, Sir—

'*that the Bill be passed into law.*' "

The motion was put and carried and the Bill was passed into law.

(3) THE PRISONS (MADRAS AMENDMENT) BILL, 1947 (L.A. BILL NO. 19 OF 1947).

THE HON. SRI K. MADHAVA MENON :—" I move, Sir—

'*that the Prisons (Madras Amendment) Bill*[a], *1947 (L.A. Bill No. 19 of 1947), as passed by the Legislative Assembly be taken into consideration at once.*'

" Sir, the Bill seeks to remove the punishment of whipping for persons who are on hunger strike. The punishment of whipping for hunger strikes was introduced in 1942. My predecessor Mr. Bhashyam thought and rightly thought that this was a barbarous punishment for going on hunger strike, namely, whipping a prisoner who is on hunger strike either during the time of the hunger strike or after the hunger strike is over. When this Bill was introduced in the other House the debate on the question ranged from all angles of jail reform. I submit that the scope of the Bill is very limited and the questions whether other punishments in jail are just or not or what reform should be undertaken are under the consideration of the Government. Certain punishments are necessary for hunger strikes in jail. At the time when Mr. Bhashyam was in office there was a wave of hunger strikes and he thought that the punishment of whipping was unnecessary or improper in such cases. Sir, I cannot agree that hunger strike is the proper form of expression of grievances in jails or anywhere else. This has been used now-a-days more as a stunt than for any real objection. Whatever that may be the punishment of whipping for hunger strikes is unnecessary and improper and I, therefore, move, Sir, that the amendment may be accepted by the House and the Bill be taken into consideration at once."

The motion was put and carried.

Clauses 2, 1 and the Preamble were put and carried.

THE HON. SRI K. MADHAVA MENON :—" I move, Sir—

'*that the Bill be passed into law.*' "

The motion was put and carried and the Bill was passed into law.

(4) THE PRISONS (MADRAS AMENDMENT NO. II) BILL, 1947 (L.A. BILL NO. 20 OF 1947).

* THE HON. SRI K. MADHAVA MENON :—" Sir, I move—

'*that the Prisons (Madras Amendment No. II) Bill*[b], *1947 (L.A. Bill No. 20 of 1947) as passed by the Legislative Assembly be taken into consideration at once.*'

" This is also a very small matter, Sir. To avoid certain technical difficulties civil debtors when they are arrested are

---

[a] Printed as Appendix VI on page 482 infra.

[b] Printed as Appendix VII on page 482 infra.

brought before a civil court and their maintenance allowance is collected by the civil court. The clothing, bedding expenses were being collected by the civil court along with other expenses. But it was found that there was no provision in the law under which to collect the money and that procedure was improper. Therefore the High Court took objection to the procedure and the original rule was resorted to, namely, that the Superintendent of the Jail should send a registered post card to the creditor concerned and if within 48 hours no reply is received from him the prisoner would be released. Considerable difficulty has been experienced in getting at the creditor in time. Now by this amendment it is sought to provide that the bedding and clothing money might also be collected by the court along with the maintenance amount when it commits a prisoner to the civil jail. This involves considerable saving to the Government and also the procedure becomes very easy."

The motion was put and carried.

Clauses 2, 1 and the Preamble were put and carried.

THE HON. SRI K. MADHAVA MENON :—"I move, Sir—

'*that the Bill be passed into law.*'"

The motion was put and carried and the Bill was passed into law.

(5) THE MADRAS TUBERCULOSIS SANATORIA (REGULATION OF BUILDINGS) BILL, 1947 (L.A. BILL NO. 22 OF 1947).

THE HON. SRI A. B. SHETTY :—"I move—

'*that the Madras Tuberculosis Sanatoria (Regulation of Buildings) Bill*[a], *1947 (L.A. Bill No. 22 of 1947), as passed by the Legislative Assembly be taken into consideration at once.*'

"We have now three separate Acts passed during the section 93 situation to control building operations in the vicinity of the tuberculosis sanatoria at Madanapalle, Tambaram and Perundurai. As these Acts will expire on the 30th April 1948, it is necessary to re-enact them now. These three Acts have been consolidated into one general Act which will apply not only to the three sanatoria mentioned by me but also to any other sanatoria that will be started hereafter."

The motion was put and carried.

Clauses 2 to 14, 1 and the Preamble were put and carried.

THE HON. SRI A. B. SHETTY :—"I move—

'*that the Bill be passed into law.*'"

The motion was put and carried and the Bill was passed into law.

---

[a] Printed as Appendix VIII on pages 483–488 infra.